

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SEAGEN INC.,

Plaintiff,

v.

DAIICHI SANKYO CO., LTD.,

Defendant,

ASTRAZENECA PHARMACEUTICALS LP, and
ASTRAZENECA UK LTD,

Intervenor-Defendants.

Civil Action No. 2:20-CV-00337-JRG

**SEAGEN'S NOTICE OF NON-OPPOSITION TO AND MOOTNESS OF DAIICHI
SANKYO'S MOTION FOR LEAVE TO USE CERTAIN DISCOVERY MATERIALS IN
A PENDING ARBITRATION**

In the parties' meet and confer on February 1, 2022, Seagen explained to DSC that it likely would not oppose any motion by DSC seeking leave to use discovery materials from this case in the parties' pending arbitration. (Dkt. 283 at 3, Ex. 4.) Nonetheless, without first confirming non-opposition with Seagen, DSC filed its motion for leave as opposed. (Dkt. 285.) Upon review yesterday, February 3, Seagen confirmed to DSC that it does not oppose the relief requested by DSC in its motion. To facilitate DSC's cross use, Seagen also produced in the arbitration the materials requested by DSC on pages 3 and 4 of its motion and confirmed to DSC that it may use the materials in a motion to the arbitrator to reopen the hearing as to those documents. Because Seagen has explicitly made available these documents for use in the arbitration, DSC's motion for leave is moot.

Dated: February 4, 2022

By: /s/ Michael A. Jacobs

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Attorneys for Plaintiff Seagen Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on February 4, 2022.

/s/ Melissa R. Smith